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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,606	03/28/2001	Takaaki Endo	2355.12117	1878

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 NEW YORK, NY 10112

EXAMINER
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NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/818,606

Applicant(s)

ENDO ET AL.

Examiner

LUONG T NGUYEN

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20,24,25,27,28,30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10,14-20,24,25,27,28,30 and 31 is/are rejected.
- 7) ☒ Claim(s) 11-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/4/03; 2/2/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Specification***

2. The disclosure is objected to because of the following informalities:  
  
In the specification, page 5, line 19, "focal, length" should be changed to --focal length--.  
  
On page 9, line 26, "invention is limited" should be changed to --invention is not limited--.  
  
On page 13, line 6, "potion" should be changed to --portion--.  
  
Appropriate correction is required.

### ***Claim Objections***

3. Claims 13, 19-20 are objected to because of the following informalities:  
  
Claim 13, line 3, "to siad" should be changed to --to said--.  
  
Claim 19 (line 1), claim 20 (line 1), "said imaging apparatus" should be changed to --each of said plurality of imaging apparatuses--.  
  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

Art Unit: 2612

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-5, 7-8, 10, 17, 19-20, 24-25, 27-28, 30-31 are rejected under 35

U.S.C. 102(e) as being anticipated by Gilbert et al. (US 6,323,858).

Regarding claim 1, Gilbert et al. discloses a controller for controlling settings of a plurality of imaging apparatuses, comprising detection means for detecting an imaging state of each of said imaging apparatuses (shutter setting can be set by detecting the light level for all CCD arrays (Figure 1, Column 4, Lines 41-50); calculation means for calculating first settings of control parameters for each of said imaging apparatuses based on a detection result from said detection means (finding an average setting, Column 4, Lines 41-50); set-up means for setting up each of said imaging apparatuses to said first settings calculated by said calculation means (setting all the others based upon the light at that one lens, Column 4, Lines 41-50).

Regarding claim 2, Gilbert et al. discloses wherein said detection result is second settings properly adjusted to each of said imaging apparatuses (Column 4, Lines 41-50).

Regarding claim 4, Gilbert et al. discloses wherein said detection result is a distribution of brightness calculated from an image taken by an imaging apparatus (detecting light level of all CCD arrays, Column 4, Lines 41-50) which is capable of imaging a wider field of view (the

Art Unit: 2612

CCD arrays 43 can capture panoramic images, Column 1, Lines 10-15, Column 2, Lines 24-30) and said detection result is used as second settings for each of said imaging apparatuses based on said distribution (Column 4, Lines 41-50).

Regarding claims 5, 7, Gilbert et al. discloses wherein said calculation means calculates an average of said second settings for said plurality of imaging apparatuses and said average is used as said first settings (Column 4, Lines 41-50).

Regarding claims 8, 10, Gilbert et al. discloses wherein said calculation means sets said first settings by using said second settings for a representative imaging apparatus among said plurality of imaging apparatuses (Column 4, Lines 41-50).

Regarding claim 17, Gilbert et al. discloses a controller for controlling the settings of a plurality of imaging apparatuses, comprising image generation means for generating an image with an average luminance value from the respective images taken by said plurality of imaging apparatuses (detecting light level, Figure 1, Column 4, Lines 41-50); and means for determining the settings of the imaging apparatuses based on the image generated by said image generation means (finding an average setting, Column 4, Lines 41-50), wherein said plurality of imaging apparatuses are set up to the determined settings (setting all the others based upon the light at that one lens, Column 4, Lines 41-50).

Art Unit: 2612

Regarding claims 19, 20, Gilbert et al. disclose a CCD camera (CCD devices 443a to 43f, Figure 1, Column 3, Lines 50-60).

As for claim 24, claim 24 is a method claim of apparatus claim 1. Therefore, see examiner's comments regarding claim 1.

As for claim 25, claim 25 is a method claim of apparatus claim 17. Therefore, see examiner's comments regarding claim 17.

Regarding claims 27-28, Gilbert et al. discloses a program code (an application program, Column 4, Lines 35-51).

Regarding claims 30-31, Gilbert et al. discloses a program code (an application program, Column 4, Lines 35-51). A computer-readable storage medium storing program code is inherently included in computer 20 (Column 4, Lines 34-51).

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2612

7. Claims 3, 6, 9, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilbert et al. (US 6,323,858) in view of Nishimura et al. (US 2001/0008421).

Regarding claim 3, Gilbert et al. discloses said detection result (light level) is used as second settings for each of said imaging apparatuses (Column 4, Lines 41-50). Gilbert et al. does not disclose said detection result is obtained from a sensor provided in proximity of each of said imaging apparatuses. However, Gilbert detection result is a light level (Column 4, Lines 41-50). And Nishimura et al. discloses a digital camera 10 includes photometry sensor 54 which measure the brightness of the object (Figure 1, page 3, section [0044]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Gilbert et al. by the teaching of Nishimura et al. in order to measure the brightness of an object.

Regarding claim 6, Gilbert et al. discloses wherein said calculation means calculates an average of said second settings for said plurality of imaging apparatuses and said average is used as said first settings (Column 4, Lines 41-50).

Regarding claim 9, Gilbert et al. discloses wherein said calculation means sets said first settings by using said second settings for a representative imaging apparatus among said plurality of imaging apparatuses (Column 4, Lines 41-50).

Regarding claim 15, Gilbert et al. does not disclose the first and second settings include focal length, diaphragm. However, Gilbert et al. discloses the first and second settings include

Art Unit: 2612

shutter speed (shutter setting, Column 4, Lines 41-50). Shutter speed is one kind of camera parameters for setting camera. Therefore, it would be obvious to one of ordinary skill in the art to use focal length, diaphragm as a setting in order to set the operation of a camera based on focal length or diaphragm.

8. Claims 14, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilbert et al. (US 6,323,858).

Regarding claims 14, 16, Gilbert et al. does not disclose the first and second settings include focal length, diaphragm. However, Gilbert et al. discloses the first and second settings include shutter speed (shutter setting, Column 4, Lines 41-50). Shutter speed is one kind of camera parameters for setting camera. Therefore, it would be obvious to one of ordinary skill in the art to use focal length, diaphragm as a setting in order to set the operation of a camera based on focal length or diaphragm.

Regarding claim 18, Gilbert et al. does not disclose said plurality of imaging automatically adjust their diaphragms based on determined settings. However, Gilbert et al. discloses the CCD arrays adjust shutter speed based on shutter setting (shutter setting, Column 4, Lines 41-50). Shutter speed is one kind of camera parameters for setting camera. Therefore, it would be obvious to one of ordinary skill in the art to use diaphragm as a setting in order to set the operation of a camera based on diaphragm.



***Allowable Subject Matter***

9. Claims 11-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Henley (US 5,657,073) discloses seamless multi-camera panoramic imaging with distortion correction and selectable field of view.

Lelong et al. (US 5,444,478) discloses image processing method and device for constructing an image from adjacent images.

Katta et al. (US 2001/0019363) discloses image pickup system and vehicle-mounted-type sensor.

Stephenson (US 2003/0133008) discloses wearable panoramic imager.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T NGUYEN whose telephone number is (703) 308-9297 or (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (703) 305-4929 or (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2612

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TUAN HO  
PRIMARY EXAMINER